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## INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1982

MAY 19, 1981.—Ordered to be printed

Mr. BOLAND, from the Permanent Select Committee on Intelligence,  
submitted the following

### REPORT

[To accompany H.R. 3454]

The Permanent Select Committee on Intelligence, to whom was referred the bill (H.R. 3454) to authorize appropriations for fiscal year 1982 for the intelligence and intelligence-related activities of the United States Government, for the Intelligence Community Staff, and for the Central Intelligence Agency Retirement and Disability System, to authorize supplemental appropriations for fiscal year 1981 for the intelligence and intelligence-related activities of the United States Government, and for other purposes, having considered the same, report favorably thereon and recommend that the bill do pass.

#### PURPOSE

This bill would:

- (1) Authorize appropriations for fiscal year 1982 for (a) intelligence and intelligence-related activities of the U.S. Government, (b) the Intelligence Community Staff, and (c) the Central Intelligence Agency Retirement and Disability System;
- (2) Authorize the personnel ceilings on September 3, 1982 for (a) intelligence and intelligence-related activities, and (b) the Intelligence Community Staff;
- (3) Authorize supplemental appropriations for fiscal year 1981 for intelligence and intelligence-related activities of the U.S. Government;
- (4) Provide authority to the Director of Central Intelligence to pay members of advisory committees at a rate not to exceed the daily equivalent of the rate of pay in effect for grade GS-18;
- (5) Provide authority to the Director of Central Intelligence and the Director of the National Security Agency to pay benefits and allowances to certain intelligence personnel comparable to those pro-

## TITLE V—GENERAL PROVISIONS

Section 501(a) amends the provision of the National Security Act of 1947 (Sec. 303(a)) limiting to \$50 the daily compensation paid members of advisory committees appointed by the National Security Council or the Director of Central Intelligence to establish a new compensation ceiling at the rate of the daily equivalent of the pay of a GS-18 government employee.

Section 501(b) makes technical corrections to reflect the renumbering of those sections of Title 18, U.S. Code cited in Section 303(b) of the National Security Act of 1947.

Section 502(a) amends the Central Intelligence Agency Act of 1949 to permit the Director of Central Intelligence to pay benefits and allowances to CIA officers, employees, detailees and assignees comparable to those paid members of the Foreign Service. The effect of this provision is to permit the Director to provide similar allowances and benefits to CIA personnel abroad as those given to Foreign Service officers and to subsequently modify those provisions consistent with changes to the Foreign Service Act any other statute granting benefits and allowances to the Foreign Service.

The subsection also permits the Director to pay other allowances and benefits to CIA personnel in connection with certain specific aspects of authorized intelligence activities—i.e., travel, personnel and physical security, operations and cover. However, this relatively broad grant of authority may be used only where the need for the allowances or benefits arises from special aspects of one or more of the enumerated intelligence activities. The benefit in question must be related directly to one of these intelligence activities and must be required to perform effectively that intelligence activity. The committee does not intend that the special requirements of intelligence activities required by the provision be so unique to those activities that no other government employees can have been similarly affected, but conversely, the Director's authority cannot be used to provide payments under this provision when the benefit is such that it meets a problem faced by significant numbers of government employees outside intelligence work. The committee will scrutinize this aspect of the provision to insure that any imbalance of benefits that may develop among government personnel is the direct result of intelligence needs and does not stem from similarly experienced problems among other groups of government personnel.

The provision also makes clear that, when benefits related to the relocation of CIA personnel are provided for moves within the United States or moves which, in whole or in part, are treated as moves within the United States, reimbursement of such moves may not exceed rates established by statute for all government employees.



Lastly, the subsection permits the Director to establish travel regulations for CIA officers, employees, detailees and assignees which would permit payment of travel expenses inconsistent with governmentwide travel procedures where the Director found that an exception to those general procedures was important to the performance of intelligence functions. Thus, for instance, if the use of government travel vouchers identifying the users as CIA personnel would be incon-

sistent with the cover of a CIA officer or the conduct of an intelligence mission, the Director could use this authority to provide appropriate travel arrangements that do not have this effect. The committee attaches great importance to the finding that must be made by the Director, because, as with all the provisions of this subsection, its concern is to avoid authorizing special benefits for certain government personnel for which there is not an important intelligence rationale.

All these new provisions of the subsection are subject to the conditions that members of the Armed Services assigned to duty with the CIA may not receive benefits under this subsection and those provided to military personnel under Title 37, United States Code. Absent this reservation, members of the Armed Services could well receive two kinds of travel benefits that could aggregate to more than those available to any other government employees. The committee wishes to avoid this result and has provided that the Director and the Secretary of Defense shall adopt joint regulations to receive this end. These regulations should make a judicious choice between benefits so as to provide the recipients with those benefits which best parallel those received by other government employees—especially CIA personnel—working under similar circumstances. This may result in some differences in benefits available in different geographic locations, but the committee expects that these will be minimal.

In addition, all the authorities provided by the subsection must be implemented by regulations. These regulations must be provided to the committee and to its Senate counterpart for a reasonable period prior to their going into force. A reasonable period in this context would be 30 days except in those circumstances where the committees and the Agency agree that a shorter period is appropriate in light of the circumstances. Regulations are called for in order that such benefits and allowances as are authorized by regulation be scrutinized to determine the ways in which the broad authority recommended by the committee will be employed.

Subsection 502(b) amends the National Security Agency Act of 1959 to permit the Director of the National Security Agency to adopt, where appropriate, for a selected group of civilian and military cryptologic personnel serving in circumstances similar to those in which CIA personnel serve, the same benefits and allowances authorized for CIA personnel under the provisions of subsection 502(a). Identical limitations on the provision of dual benefits to military personnel and a requirement for implementing regulations also apply.

Section 503 amends the National Security Agency Act of 1959 to provide the Director of the National Security Agency with authorities to pay for and otherwise support language and language-related training to NSA employees, and to do so in non-government institutions when suitable training courses or instruction is unavailable through government language training centers; to support non-government programs furnishing such instruction when necessary programs are not available at government language training centers; and to hire or contract for necessary instructors or other language experts as needed. The Director is also authorized to offer incentives to civilian NSA employees to maintain language skills not required for their present employment or to acquire new languages.